

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Dina Ben-Yehuda

Confirmation No.: 5095

Application No.: 10/559,639

Group Art Unit: 1646

Filed: July 24, 2006

Attorney Docket No: 7640-X05-046

For: LIVIN-DERIVED PEPTIDES, COMPOSITIONS AND USES THEREOF

**REQUEST FOR CORRECTION OF FILING RECEIPT**

Mail Stop: Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313

Sir:

The above-identified patent application's title and the last name of one of the inventors on the Filing Receipt mailed July 12, 2007 are not correct. Please correct the Filing Receipt mailed July 12, 2007 as indicated on the enclosed marked-up copy. Specifically, the word USE in the title should be USES, not "USE". Also, the last name of the inventor Boaz should be NACHMIAS, not "NACHIMIAS". Enclosed are copies of the Executed Power of Attorney showing that this is a USPTO error. Accordingly, no fee is believed to be due for this Request. However, please charge any fee to Deposit Account 500601 (Attorney Docket 7640-X05-046).

Respectfully submitted,



Paul D. Bianco, Reg. # 43,500

Enclosures

CUSTOMER NUMBER 27317  
PAUL D. BIANCO  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
10/559,639	07/24/2006	1646	515	7640-X05-046	15	2

CONFIRMATION NO. 5095

27317  
 FLEIT KAIN GIBBONS GUTMAN BONGINI & BIANCO  
 21355 EAST DIXIE HIGHWAY  
 SUITE 115  
 MIAMI, FL 33180

## FILING RECEIPT



\*OC000000024777396\*

Date Mailed: 07/12/2007

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

Dina Ben-Yehuda, Mevasseret Zion, ISRAEL;  
 Yaqoub Ashhab, Hebron, ISRAEL;  
 Boaz Nachmias, Ramat-Gan, ISRAEL;

L NACHMIAS

**Power of Attorney:** The patent practitioners associated with Customer Number **27317**.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/IL04/00461 05/31/2004

## Foreign Applications

ISRAEL 156263 06/02/2003

**If Required, Foreign Filing License Granted:** 07/11/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/559,639**

**Projected Publication Date:** 10/18/2007

**Non-Publication Request:** No

Early Publication Request: No

**COPY****Title**

Livin-Derived Peptides, Compositions and Use Thereof

Uses

**Preliminary Class**

530

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184; if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted

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under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/559,639	Dina Ben-Yehuda	7640-X05-046

INTERNATIONAL APPLICATION NO.	
PCT/IL04/00461	
I.A. FILING DATE	PRIORITY DATE
05/31/2004	06/02/2003

27317  
 FLEIT KAIN GIBBONS GUTMAN BONGINI & BIANCO  
 21355 EAST DIXIE HIGHWAY  
 SUITE 115  
 MIAMI, FL 33180

CONFIRMATION NO. 5095

371 ACCEPTANCE LETTER



\*OC000000024777397\*

Date Mailed: 07/12/2007

**NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495**

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>07/24/2006</u>	<u>07/24/2006</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 12/02/2005
- Copy of the International Search Report filed on 12/02/2005
- Copy of IPE Report filed on 12/02/2005
- Preliminary Amendments filed on 12/02/2005
- Biochemical Sequence Diskette filed on 12/02/2005
- Oath or Declaration filed on 07/24/2006
- Biochemical Sequence Listing filed on 03/16/2007
- Request for Immediate Examination filed on 12/02/2005
- U.S. Basic National Fees filed on 12/02/2005
- Priority Documents filed on 12/02/2005
- Power of Attorney filed on 07/24/2006

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- Specification filed on 12/02/2005
- Claims filed on 12/02/2005
- Abstracts filed on 12/02/2005
- Drawings filed on 12/02/2005
- Paper nucleotide sequence listings filed on 12/02/2005

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

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**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original and first inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled

**LIVIN-DERIVED PEPTIDES, COMPOSITIONS AND USES THEREOF**

the specification of which: (check one)

☐ Is attached hereto.

☒ was filed on December 2, 2005  
under Attorney's Docket Number 7640-X05-046  
as Application Serial No. 10/559,639

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information material to the patentability of this application in accordance with 37 CFR 1.56.

I hereby claim the benefit of foreign priority under 35 USC 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of any PCT international application having a filing date before that of the application the priority of which is claimed:

Prior Foreign Application(s):

Number No.	Country	Filing Date	Priority Claimed	
			<u>YES</u>	<u>NO</u>
156263	ISRAEL	June 2, 2003	X	

I hereby claim the benefit under 35 USC 119(e) of any United States provisional application(s) listed below

Application Number      Filing Date

I hereby claim the benefit of United States priority under 35 USC 120 of any United States application(s) or 365(c) of any PCT international applications designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is disclosed in a listed one of the prior United States or PCT

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international application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application;

U.S. Parent Application or PCT Parent

Number  
PCT/IL2004/000461

(Filing Date)  
May 31, 2004

Parent Patent Number

**POWER OF ATTORNEY:** As named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Martin Fleit	Reg. No. 16,900
Robert C. Kain	Reg. No. 30,648
Jon A. Gibbons	Reg. No. 37,333
Stephen C. Bongini	Reg. No. 40,917
José Gutman	Reg. No. 35,171
Paul D. Bianco	Reg. No. 43,500

Send correspondence to MARTIN FLEIT, Fleit, Kain, Gibbons, Gutman, Bongini & Bianco, P.L.,  
21355 E. Dixie Highway, Suite 115, Miami, Florida 33180, and direct all telephone calls to MARTIN FLEIT at (305) 830-2600.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**INVENTOR (1):** Dina BEN-YEHUDA

**CITIZENSHIP:** Israeli

**RESIDENCE:** Mevasseret Zion, Israel

**POST OFFICE ADDRESS:** 4 Mevo Yehalom Street, 90805,  
Mevasseret Zion, Israel

**INVENTOR'S SIGNATURE:** D. Ben Yehuda **DATE:** 26 JUNE 2006



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**INVENTOR (2):** Yaqoub ASHHAB

**CITIZENSHIP:** Israeli

**RESIDENCE:** Hebron, Israel

**POST OFFICE ADDRESS:** P.B. Box 384, West Bank, Hebron, Israel

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**INVENTOR (3):** Boaz NACHMIAS

**CITIZENSHIP:** Israeli

**RESIDENCE:** Ramat-Gan, Israel

**POST OFFICE ADDRESS:** 15 Rozen Street, 52224, Ramat-Gan, Israel

**INVENTOR'S SIGNATURE:** B. Nachmias **DATE:** 27.6.06

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**INVENTOR (2):** Yaqoub ASHHAB

**CITIZENSHIP:** Israeli

**RESIDENCE:** Hebron, Israel

**POST OFFICE ADDRESS:** P.B. Box 384, West Bank, Hebron, Israel

**INVENTOR'S SIGNATURE:**  **DATE:** 27-6-2006

**INVENTOR (3):** Boaz NACHMIAS

**CITIZENSHIP:** Israeli

**RESIDENCE:** Ramat-Gan, Israel

**POST OFFICE ADDRESS:** 15 Rozen Street, 52224, Ramat-Gan, Israel

**INVENTOR'S SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_